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Via ECF

Honorable Andrew L. Carter Jr.
United States District Judge
Southern District of New York
500 Pearl Street Room 2230
New York, NY 10007

November 8, 2019

RE: JSMN Shenango Valley Mall LLC v. Paradigm Credit Corporation & Others
Civil Action No. 17-9994

Dear Hon. Judge Carter Jr.:

I represent Plaintiff JSMN Shenango Valley Mall LLC, in the above referenced matter. In view of the party's settlement in principle in the related action, *Iowa Square Realty LLC v Ravinder Thota et al.*, 17-cv-09933 (RJS) ("*Related Action*"), pending in the Southern District of New York, parties to this action had approached this Court and had requested discontinuance of the present action. Accordingly, the Court passed an Order on August 1, 2018 (ECF Document No. 82) whereby, Honorable Court discontinued the action without prejudice to restore the action to the Court's calendar if such an application is made no later than October 30, 2018.

From time to time, including on August 21, 2019, Honorable Court granted extension for another ninety (90) days to request to reopen the case (See ECF Document #92).

On September 9, 2019, Honorable Richard J. Sullivan, United States Circuit Judge, Sitting by Designation, in the related matter *Iowa Square Realty LLC v Ravinder Thota et al.*, 17-cv-09933 (RJS) ("*Related Action*") passed an Order granting plaintiff's motion therein (ECF Document #91). Defendant therein and plaintiff herein has filed a Notice of Appeal (No. 19-3249) in the United States Court of Appeals at Second Circuit. Parties are working on logistics of the transaction as Ordered by Honorable Richard J. Sullivan, United States Circuit Judge, Sitting by Designation. However, unless and until the transaction can be completed as Ordered, Appeal is filed and pending before the United States Court of Appeals at Second Circuit. Once the transaction is complete, the appeal may become moot. Otherwise, the parties will brief the Appeal.

I had conveyed and conferred with Raymond A. Quaglia, attorney for defendants, in the related action and he consents to this request. However, I have not received any objections so far from Counsel Ira S. Clair, Esq., representing the co-defendant, Paradigm Credit Corporation.

In view of the above, Plaintiff requests the Honorable Court to keep the request to reopen the matter *sine die* in abeyance or grant another extension of 120 days to reopen the matter.

I very much appreciate Your Honor's consideration and am available for a conference if the Court would like to address this matter with Counsels in more detail.

Respectfully,

/s/ Sanjay Chaubey, Esq. (SC-3241)

Attorney for Plaintiff
JSMN Shenango Valley Mall, LLC.

cc: Raymond A. Quaglia, Esq.
Justin W. Lamson, Esq.
Ira S. Clair, Esq.